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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,842	07/24/2003	Luigi Nalini	44018-907 (7221)	9549
29450	7590	05/25/2007		
BARLEY SNYDER, LLC 1000 WESTLAKES DRIVE, SUITE 275 BERWYN, PA 19312			EXAMINER NGUYEN, DINH Q	
			ART UNIT 3752	PAPER NUMBER
			NOTIFICATION DATE 05/25/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/625,842

Applicant(s)

NALINI, LUIGI

Examiner

Dinh Q. Nguyen

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3752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-12 and 14-18 is/are pending in the application.
- 4a) Of the above claim(s) 14-17 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2,5-12 is/are allowed.
- 6) ☒ Claim(s) 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claims 18 is withdrawn in view of the newly discovered reference(s) to Wagner. Rejections based on the newly cited reference(s) follow.

Claim Objections

2. Claim 14 is objected to under 37 CFR 1.75(c) as being in improper form because depending on a canceled claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Munk et al. in view of Carlotta et al.

Munk et al. discloses an airless atomizing nozzle comprising: a tubular body 51 with a first face, a cylindrical member 61 with a second face, a cylindrical delivery channel 62 with a tapered inlet (not numbered), a pin 67 with a target area 74. Munk et al. does not teach that the pin is secured by UV curable adhesive. However, Carlotta et al discloses pin 40 being secured in hole 43 by UV curable adhesive. Therefore, it would have been obvious to one having ordinary skill in the art to secure the pin of

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Munk et al. with UV curable adhesive as suggested by Carlotta. Doing so would provide a way to secure a pin.

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner in view of Carlotta et al.

Wagner discloses an airless atomizing nozzle comprising: a tubular body 1/17 with a first face located on the head portion 21, a cylindrical member 7 with a second face, a cylindrical delivery channel 12 with a tapered inlet 11, a pin 37 with a target area 38 directly over the delivery channel 12 (see figure 2). Wagner does not teach that the pin is secured by UV curable adhesive. However, Carlotta et al discloses pin 40 being secured in hole 43 by UV curable adhesive. Therefore, it would have been obvious to one having ordinary skill in the art to secure the pin of Wagner with UV curable adhesive as suggested by Carlotta. Doing so would provide a way to secure a pin.

Allowable Subject Matter

6. Claims 1, 2, 5-12 are allowed.

Response to Arguments

7. Applicant's arguments filed 3/13/07 have been fully considered but they are not persuasive. The Examiner apologizes for the withdrawal of the indicated allowability of claims 18 in view of Munk and Wagner references.

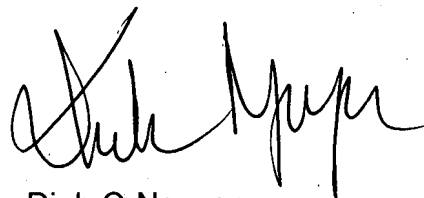
8. Applicant's arguments with respect to claim 18 have been considered but are moot in view of the new ground(s) of rejection.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dinh Q. Nguyen whose telephone number is 571-272-4907. The examiner can normally be reached on Monday-Thursday 6:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Dinh Q. Nguyen
Primary Examiner
Art Unit 3752

dqn